

III. REMARKS

Applicant has considered the current Office Action with mailing date of Nov 13, 2006. Claims 1-32 are pending in this application. By this amendment, claims 1, 2, 3, 5, 6, 8, 9, 11 and 22 have been amended. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claim 1-32 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over US 20020120918, hereinafter “Aizenbud”, in view of US Patent No. 6732153, hereinafter “Jakobson.” Applicant respectfully traverses the Office’s rejection on the following grounds.

REJECTION OF CLAIMS 1-32 UNDER 35 U.S.C. §103(a)

With regard to the 35 U.S.C. §103(a) rejection of claims 1 – 32 over Aizenbud in view of Jakobson, Applicant respectfully submits that Aizenbud independently or in combination with Jakobson does not teach or suggest each and every feature of the claimed invention. Applicant reiterates previously presented arguments and further submits that Aizenbud does not teach, *inter alia*, “...a review standard for reviewing linguistic aspects of the message...”, claim 1.

The Office states on page 7 – 8 of the current Office Action that “Broadest Reasonable Interpretation” of the claims has been applied during patent examination. By adopting such an approach, the method of “...configuring a review standard for reviewing linguistic aspects of the message...” for an end user in claim 1 is deemed to be equivalent to Aizenbud’s “[m]essage processing nodes performing specific type of processing on an input message.”, [0054]. Applicant submits that Aizenbud’s input message is a coded message, which is part of a communication hub that provides intelligent message routing and integration of applications. [0050]. To this extent, the message in Aizenbud is that which is configured for communication between machines integrated through a computer system where the input message may be defined as “an information unit that the system sends back to the user or system operator with information about the status of an operation, an error, or other condition”. Computeruser.com. In contrast, the claimed message is that which may be defined as: “a short piece of information that you give to a person when you cannot speak to them directly”. Cambridge International Dictionary of English. As such, the coded message in Aizenbud is not an equivalent of the claimed invention because the consideration for review of a coded message is not the same as that for a human-directed message, where the primary review is based on linguistics of human language and not machine language. Therefore, the Office’s interpretation of the claims with respect to the term “message” amounts to Official Notice, which is unsupported by any factual proof. Without proper support of this notice, Applicant respectfully requests that the Office withdraw this rejection.

In addition to the above, Applicant submits that a person of ordinary skill in the art would not be motivated to refer to Aizenbud when considering the subject matter of the claimed invention because Aizenbud’s method of “...debugging message flows...”, [0043], within a “...messaging network” through the use of message processing nodes, [0054], is not relevant to “...configuring a review standard for linguistic aspects of ...” messages directed to a human being (i.e., an end user),

claim 1. Specifically, Aizenbud's method is directed at the manner in which coded messages flow within a hierarchically organized computer system, where a programmer selects a message processing node to visually monitor "... the internal message flow" within the system, [0094]. In contrast, the claimed invention is directed at standardizing the linguistic aspects in composing a message for an end user, an external entity of a computer system. As such, when considering a method of establishing a standard of review of messages for human interpretation, a person of ordinary skill will not refer to a reference teaching a method for debugging the flow of messages confined within a computer system solely for facilitating system communications. Therefore, the Aizenbud's method is not pertinent subject matter with respect to the claimed invention.

In the same vein, a person of ordinary skill would not look to Jakobson because it teaches a parser structure for determining priority of tasks in coded messages nested within a system. Col. 1, lines 60 – 63. Specifically, a parser is a program that dissects source code to translate into object code. (<http://www.webopedia.com/TERM/p/parser.html>) Since Jakobson's method teaches a parser structure for translating source code (created by a programmer/developer, i.e., human) to machine code, person of ordinary skill will find no motivation to even look to such a method that teaches the exact opposite of the claimed invention (i.e., configuring a review standard of messages for a human interpretation). The environment for which the subject matter of the claimed invention relates is that of a platform for establishing uniformity of human-directed messages. In contrast, the environment in Jakobson, is that of a platform for establishing uniformity of machine-to-machine messages. As such, the Office's interpretation of "uniformity in any distributed environment", page 3 of current Office Action, is incorrect because Jakobson's machine-directed environment is not equivalent to human-directed environment; and therefore, has no bearing on the claimed invention. Accordingly, Applicant respectfully requests that the Office withdraw this rejection and allow claim 1.

Applicant incorporates the foregoing arguments with regard to the 35 U.S.C. §103(a) rejection of subject matter in system claims 11 – 20 and computer product claims 22 – 32, which are similar to subject matter in claims 1 - 10. Accordingly, Applicant respectfully requests that the Office withdraw the rejections of all claims.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique feature. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the use of references independently or in combination and/or modifications in rejecting the claimed subject matter. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,



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